

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GEOFFREY ELKINGTON,

Petitioner,

v.

MICHAEL CLARK, *et. al.*,

Respondents.

CIVIL ACTION
NO. 16-2949

ORDER

AND NOW, this 26th day of October, 2018, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Elizabeth T. Hey, (ECF No. 16), and Geoffrey Elkington's objections thereto, (ECF No. 19), it is hereby

ORDERED that:

1. Elkington's objections are **OVERRULED** and Magistrate Judge Hey's Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Elkington's Motion for Appointment of Counsel, (ECF No. 12), is **DENIED**;
3. Elkington's Petition for a Writ of *Habeas Corpus*, (ECF No. 1), is **DENIED** and **DISMISSED** with prejudice;
4. No certificate of appealability shall issue;²
5. This case shall be **CLOSED** for statistical purposes.

² No reasonable jurist would disagree with the Court's disposition of petitioner's claims. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.